



THE HUMANITARIAN MONITOR

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March Overview

The unilateral ceasefires that brought Israel’s “Cast Lead” military offensive in Gaza to an end remain fragile, with small-scale violent incidents occurring on an almost daily basis. In the midst of this violence was the failure of Egyptian-mediated negotiations between Israel and Hamas, aimed at the release of hundreds of Palestinian prisoners in exchange for Hamas’s release of the Israeli soldier Gil’ad Shalit. Following the breakdown in talks was the Israeli government’s decision to worsen the conditions of imprisonment of Hamas and Islamic Jihad-affiliated prisoners held in Israeli prisons and the arrest of senior West Bank political figures, allegedly affiliated with Hamas. These developments pushed further away the prospects of a stable ceasefire agreement and the likelihood of a significant easing in the blockade of Gaza crossings.

While for most Gazans the closure regime remained unchanged during March, access to specialized medical treatment outside Gaza dramatically deteriorated. Following the take-over of the Referral

Abroad Department (RAD) on 22 March by the Hamas authorities in Gaza, the Ministry of Health (MoH) in Ramallah stopped the approval and funding of newly processed applications. Without



A Palestinian child trying to cross the new Barrier Gate at Azzoun Atma.
Photo by jctordai © 2009

this approval, the Israeli and Egyptian authorities do not allow patients to leave Gaza through the Erez and Rafah crossings.

This situation exacerbated an already difficult situation for chronically ill patients from Gaza and halted completely the processing of new referral documents, putting the lives of chronically-ill patients at risk.

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Meanwhile, the sweeping ban continued on the import of construction materials, spare parts for public infrastructure and industrial inputs into Gaza, along with restrictions on the entry of cash, preventing the implementation of almost all planned early recovery activities. In addition, import procedures for allowed items remained subject to unclear and often inconsistent criteria. Nonetheless, during March, some minor relaxation measures in the closure were observed, including the entry of previously banned food items and the export of a limited number of truckloads of carnations.

The overall impact of the ongoing blockade on Gaza on the livelihoods of the population - farmers, herders and fishermen in particular - has been further exacerbated by Israeli restrictions on access to agricultural land along the border and to fishing areas beyond three nautical miles from the shore.

In the West Bank, an increase in the vulnerability of specific groups has been noticed as a result of several factors, including Israeli-imposed access restrictions, displacement and insufficient rainfall. According to the latest survey by the Palestinian Central Bureau of Statistics, over 20 percent of the population able and willing to work is unemployed and about 47% live below the poverty line. Given the serious under funding of West Bank projects

included in the 2009 CAP, which are aimed at improving living conditions among the most vulnerable, the humanitarian situation is likely to deteriorate further in the coming months.

During March, ten structures were demolished in the West Bank, displacing 44 people including 29 children. All of these occurred in and around East Jerusalem. Thousands of other Palestinians in this area live under the ongoing threat of displacement; demolition and eviction orders issued and reported to OCHA during March alone place at least 420 Palestinians at-risk of displacement.

The internal closure regime in the northern West Bank was reconfigured during the reporting month, following the removal of one checkpoint (Ar Ras) and the relocation of another (Beit Iba). While the former has improved Palestinian access between Tulkarm and Qalqiliya governorates in areas east of the Barrier, the latter has multiple ramifications on the access and movement of the population. Also this month, the Israeli authorities initiated work on the construction of four sections of the West Bank Barrier (two of which are relocations of old sections) and expanded the associated permit regime in one area. All of these sections are entirely within the West Bank, contrary to the Advisory Opinion issued by the International Court of Justice on 9 July 2004.

West Bank including East Jerusalem

Protection

Communities affected by military activities

Intense Israeli military activity, including nightly search-and-arrest operations and restrictions on the freedom of movement, including the imposition of curfews and closures, continued to affect entire Palestinian communities. Among the most affected are villages where weekly anti-Barrier protests take place and those with frequent incidents of stone throwing at Israeli-plated vehicles.

In the northern West Bank, the number of Israeli military search-and-arrest operations far exceeded those of other regions of the West Bank - more than double the number of searches in February 2009

(325 vs. 157 searches), and roughly three times the number of military searches than in all other West Bank areas combined. The village of Jayyus, the site of weekly anti-Barrier demonstrations, regularly experienced nightly search-and-arrest operations. This month, there were eleven Israeli searches, two Palestinian arrests, and a total of 27 hours of curfew imposed on the village.

Of note in other areas of the West Bank was the Israeli military operation on 11 and 12 March in Beit Ummar village (Hebron governorate). During the operation, the Israeli army imposed a 23-hour curfew, arrested 32 residents and caused significant damage to four houses during searches.

In other parts of the northern West Bank, Israeli forces stepped up the implementation of curfews and access restrictions on entire Palestinian villages, following incidents of Palestinian stone-throwing targeting Israeli vehicles. During the month, the villages of 'Azzun and Haris in Salfit governorate experienced almost weekly search-and-arrest operations. In Haris, on at least one occasion, Israeli forces briefly detained and interrogated all male villagers between the ages of 15 and 30; in March, both villages were put under curfew for a total of 46 hours, and access obstacles (earth mounds) were placed at their respective main entrances, cutting off all vehicular access to main roads; in 'Azzun, the Israeli army further restricted village access by erecting a new barbed wire fence north of the village, along Road 55.

During the month, there was one Israeli reported injured as a result of stone-throwing at vehicles on main roads.

Concerns over conditions for prisoners

On 17 March, following the collapse of the Egyptian-mediated prisoner exchange negotiations with Hamas, then Israeli Prime Minister Ehud Olmert established a ministerial committee explicitly charged with identifying ways of worsening detention conditions of Hamas and Islamic Jihad prisoners held in Israeli jails,¹ reportedly in order to exert pressure on Hamas to release Israeli Corporal Gilad Shalit.²

Human rights groups protested the announced move on the basis that it constitutes collective punishment and warned that conditions of detention for Palestinian prisoners already fall below accepted international standards.³ There are currently some 8,400 Palestinian prisoners being held in Israeli prisons for alleged security offences.⁴ Included among these prisoners are between 800 - 900 prisoners from the Gaza Strip, among which 100 were captured during Israel's recent "Cast Lead" military offensive.⁵ At least ten of these were initially held as "unlawful combatants" based on Israel's Internment of Unlawful Combatants Law of 2002, which allows Israel to detain indefinitely anyone suspected of having directly or indirectly taken part

in acts of hostility against Israel or belonging to a force engaged in hostile activity against the State of Israel.⁶ At least half of these were later released.⁷

Media reports indicated that the Israeli government subsequently accepted the committee's recommendations, which included: reducing the number of family visits; preventing prisoners from pursuing higher or secondary education; denying them access to television, radio and newspapers; and placing restrictions on prisoners' canteen accounts.⁸ The new measures related to family visits do not affect Gaza prisoners, who have been denied their right to such visits by Israel since Hamas's June 2007 takeover of the Gaza Strip.⁹ In the wake of the approved recommendations, human rights groups stressed that international human rights law affords prisoners the right to regular family visits and contact with the outside world, as well as the right to pursue their education while incarcerated.¹⁰ According to Addameer Prisoners' Support and Human Rights Association, new restrictive measures were evident by the end of March. For example, children under six who were visiting their fathers imprisoned in Gilboa prison were prevented from the 10-15 minutes of physical contact usually allowed at the end of their visit.

In a related development during the month, Israeli forces arrested ten political leaders, including a former PA Deputy Prime Minister and four Palestinian Legislative Council (PLC) members. All ten of those arrested were subsequently placed under six month administrative detention orders. Addameer reports that Israeli forces arrested dozens of political figures allegedly affiliated with Hamas in the West Bank after Gilad Shalit was captured on 25 June 2006; 25 of these prisoners are still being held. Human rights organizations expressed due process and collective punishment concerns following the March 2009 arrests and warned against these prisoners being used to exert pressure in the political process.

Administrative detainees are held without charge or trial, on the basis of secret evidence, which neither the accused nor their lawyer have access. The orders can be renewed indefinitely. According

to Addameer, which launched a campaign to stop administrative detention during the month, some 550 Palestinians were being held under administrative detention as of the end of the month, including three children, one woman and eight members of the Palestinian Legislative Council.¹¹ Eleven of the detainees have spent more than two years in administrative detention after having their detention orders repeatedly renewed.

Child Protection

Child casualties

On 11 March, the Israeli military shot and killed a 15-year-old Palestinian boy in the Ramallah governorate, reportedly after Molotov cocktails were thrown towards a group of Israeli soldiers near a settlement. In addition, a total of 18 children were injured in Israeli-Palestinian violence. Examples of incidents resulting in injury during the month include: on 14 March, Israeli troops carrying out a search operation in Husan village, west of Bethlehem, fired live rounds injuring a 17-year old Palestinian; and, on 15 March, Israeli soldiers opened fire and injured with live ammunition a Palestinian minor after Palestinian youths allegedly threw stones at Israeli military jeeps during a search operation in Beit Reema village, northwest of Ramallah.

Education impeded by military operations

In the West Bank, including East Jerusalem, Israeli authorities forcibly entered Palestinian school-grounds on at least two occasions and education was disrupted on at least two occasions due to curfew. Of particular concern during the month was the Israeli military's use of one school for the interrogation of Palestinian males in the village of Haris in the Salfit governorate. On 26 March, following incidents of stone throwing by Palestinian youth in the area, Israeli troops raided the village, placed it under curfew and ordered all males between the ages of 15 and 30 to report to the local schools for questioning. Other males, including children, were questioned during a house-to-house search. Four Palestinian children were arrested and school sessions were disrupted for one day due to the curfew. Also, on 23 March, in the southern Hebron Governorate,

Israeli soldiers mandated to accompany Palestinian children to and from school in order to prevent settler violence against them, refused to do so. As a result the children were forced to take a detour in order to avoid settlers in the area. So far in the 2008/2009 school year, settlers have attacked the children twice. There were 14 such attacks in the 2007/2008 school year.

Concerns regarding displaced children

In the West Bank, including East Jerusalem, a total of 29 children were displaced when Israeli forces demolished their family homes. Thousands of Palestinian children are at-risk of displacement due to outstanding demolition and eviction orders in East Jerusalem and Area C, due to lack of permit. During March, demolition and eviction orders issued in East Jerusalem and Area C and reported to OCHA threaten to displace some 420 Palestinians (about half of whom will be children).

Displacement of Palestinians in and around East Jerusalem

The Israeli authorities continued to displace Palestinians in and around East Jerusalem as a result of home demolitions in March. Forty-four (44) Palestinians were displaced during the month, compared to 51 Palestinians displaced in the same area in February. Of note, all of the displacement from West Bank home demolitions recorded by OCHA during 2009 has occurred in and around East Jerusalem.

A total of ten Palestinian-owned structures, including seven residential structures, were demolished in East Jerusalem and in Area C around East Jerusalem in March. Hundreds of others faced the threat of displacement due to demolition and eviction orders delivered during the month.

- In East Jerusalem, six structures (including four residential) were demolished in March, down from eight structures (seven residential) in February.¹² Since the beginning of 2009, over 100 Palestinians have been displaced in East Jerusalem following the Israeli authorities' demolition of 16 structures, including 10 inhabited residential structures.

- Just outside of East Jerusalem, the Israeli Civil Administration demolished four structures, including three residential structures, in Al 'Eizariya, due to the lack of building permits. The demolitions occurred in Area C, in the vicinity of an area planned for the expansion of the Ma'ale Adumim settlement (E1). Since the beginning of 2009, all of the Area C demolitions recorded by OCHA that have resulted in displacement have occurred in this same area.

Also in March, OCHA received reports that the Israeli authorities served demolition and eviction orders that threaten to displace 420 Palestinians. Such orders were served to the owners and residents of 55 apartments (most of which are uninhabited) in the Ras Khamis area adjacent to Shu'fat Refugee Camp in East Jerusalem, placing 40 people at risk of displacement. In Area C, the Israeli army delivered over 20 orders for the demolition of Palestinian-owned structures, including nine residential structures, due to lack of permit. The orders, which were issued for structures in the Jenin, Nablus and Hebron governorates, threaten to displace 67 Palestinians, including 41 children. Thousands of Palestinian families live under the constant threat of displacement due to pending demolition orders in East Jerusalem and Area C.

In early March, orders for eviction were issued against two buildings in the Sheikh Jarrah neighborhood and two buildings in the Al Abbasiyeh area of the Ath Thuri neighborhood of East Jerusalem. These orders threaten to displace some 310 Palestinians. The buildings in Sheikh Jarrah are located in an area that is the subject of a protracted legal battle contesting the ownership of the land on which the threatened buildings are located. In the 1950s, Palestinian refugees from West Jerusalem were relocated to this area following an agreement between UNRWA and the Jordanian government. One family was evicted in November 2008 and there are 25 other houses in the same area that are similarly affected, leaving some 500 additional Palestinians at-risk of displacement.

HCJ approves another "deterrent" demolition: In March, the Israeli High Court of Justice (HCJ) rejected a

petition objecting to the demolition of a house in East Jerusalem on the grounds that it would serve as a means of "deterrence". The house belongs to the family of a Palestinian who killed three Israelis while driving a bulldozer in West Jerusalem in July 2008 and who was killed in the incident. This is the second time such a decision has been taken by the HCJ in 2009. In January, Israeli security forces sealed two floors of a four-story building in East Jerusalem after the HCJ rejected a petition objecting to the demolition. In this case, the floors were home to the family of a Palestinian who carried out a March 2008 attack on a West Jerusalem Yeshiva, during which eight Israelis were killed, in addition to the perpetrator. The sealing of the house resulted in the displacement of 20 Palestinians.

In February 2005, the Israeli Minister of Defense suspended "deterrent" demolitions after a military commission found that they did not constitute an effective deterrence. Such demolitions are generally referred to as "punitive" demolitions by human rights groups, given that families are penalized for actions they did not commit. According to the Israeli human rights group B'Tselem, Israeli forces demolished over 660 homes on these grounds between October 2001 to the end of January 2005, leaving over 4,000 Palestinians homeless.

The impact of drought on agriculture

Following the droughts in 2006 and 2008, the present shortfall in precipitation for this year is compounding the water crisis in the West Bank. The rainfall for the whole of the West Bank up until the end of March (419mm) was just 78% of the average annual rainfall (537mm), while in the southern West Bank, just over 60% of the average has fallen. This situation is compounding the perilous position of many rural agricultural communities.

Agriculture and shepherding has been a major economic cushion in the West Bank, providing employment and income to vulnerable communities. However, the lack of rainfall, along with overgrazing, has led to a significant deterioration in pastures and grazing areas. This has generated

increased demand for animal feed and had been a factor in the continuing rise in the price of fodder, contributing (along with global fodder price increases) to a West Bank price increase of 30%-45% since 2005. The combined effects of rising fodder and water prices are leading to a situation wherein sheep are becoming a liability, rather than an asset, as herders are indebted to water truckers and fodder traders.

The drought will impact the productivity of rain-fed crops meaning a decline in the economic return of olives and other field crops, such as wheat and barley. In addition, the recharge of the aquifers will be impaired, meaning a lower water table and decreased pumping capacity of wells for farmers.

The irregular and inadequate amount of rainfall this season has also meant a decline in the total quantity and quality of rainwater harvested, depriving herders from vital additional drinking water for their animals. This has contributed to a further diminution of the sustainability of agricultural livelihoods, which necessitates the importance of establishing a medium-term adaptation strategy to develop alternative livelihoods and attain long-term profitability for the sector.

As in 2008, OCHA, FAO and UNICEF have coordinated a drought response plan with partner NGOs in the water and livestock sectors to provide water and fodder, in order to ease the impact on the most marginalized communities. These emergency activities are part of the ongoing process of developing long-term sustainable solutions for herders.

Access

Closure regime in the northern West Bank reconfigured

Changes implemented by the Israeli authorities during March regarding two key staffed checkpoints in Nablus and Qalqiliya governorates reconfigured to some extent the internal closure regime in the northern West Bank, with a mixed impact on the population.

In the northern West Bank, Beit Iba checkpoint was relocated a few kilometres to the northwest. The new

site is located on the main route leading from Jenin governorate southwards. While the full impact on the affected population is yet to be assessed, initial observations suggest that the relocation has freed access between Jenin and Nablus governorates. However, Jenin residents traveling to Tulkarm and southern areas now have to cross a new checkpoint. The relocation may also affect Nablus residents traveling to the west, as the volume of traffic through the new checkpoint significantly grew, increasing the potential of delays. Following the relocation, the Israeli authorities removed the permit requirement for Nablus residents crossing this checkpoint with their private cars. The permit requirement, however, remains in place for passage of vehicles through Huwwara checkpoint, the main checkpoint leading south.

Also in the northern area, the Israeli authorities removed a staffed checkpoint, Ar Ras, located on the main route between Tulkarm and Qalqiliya governorates. This removal has enabled unimpeded traffic flow in areas east of the Barrier between the two governorates. However, following this removal, new infrastructure (roadblocks) was installed on the side of the road along the same route, a few kilometres to the north of the removed checkpoint, next to 'Izbat Shufa village. While the new infrastructure has remained unstaffed, this may indicate a possible relocation of the original checkpoint.

In the central West Bank, the Al Mu'arrajat road connecting Ramallah and Jericho governorates was re-opened. The road has been closed for the past nine months for renovation by UNDP. The closure of this road required Palestinian traffic to access Jericho through the southern entrance, controlled by a permanently staffed checkpoint (DCO checkpoint), at which long queues and delays were frequently reported during that period.

West Bank Barrier continue to expand

In the course of the month a number of developments related to the Barrier were observed in the Qalqiliya, Salbit and Hebron governorates. These developments include the leveling of land for the construction of four sections (two rerouted and two new), as well

as the installation of a secondary Barrier and the expansion of the permit regime in another area. All of these sections are located entirely within the West Bank, contrary to the Advisory Opinion issued by the International Court of Justice on 9 July 2004.

In Qalqiliya, Israeli contractors started levelling land and uprooting trees belonging to Palestinians for the re-routing of two sections of the Barrier, in compliance with decisions issued by the Israeli High Court of Justice more than three years ago. One involves three Palestinian villages with a combined population of 884 (Ras At Tira, Ad Daba and Wadi Rasha) that were isolated in an enclave following the construction of the Barrier and the declaration of the area between the Barrier and the Green Line as a closed military zone. The relocation of this section will reconnect these villages with the rest of the West Bank and improve the access of residents to essential services. However, the new route will cut off these villages from large parts of their agricultural land that will remain inside the enclave, subjecting the access of farmers to this land to a restrictive permit regime. The re-routing of the other section will result in the reconnection of 700 dunums of agricultural land isolated by the Barrier northeast of Qalqiliya City, with two Palestinian villages (Azzun and Nabi Elias).

Also in Qalqiliya governorate, the Israeli army has recently installed an inner fence, or secondary Barrier, with two gates along it, around 'Azzun 'Atma village. Since the construction of the main

Barrier in 2003, the 2,000 residents of this village are required to cross a Barrier gate and undergo checking procedures to access essential services in the rest of the West Bank; non-residents must obtain a 'visitor permit' to enter the village. Moreover, given that the gate is closed from 2200 to 0600 hours, it has created a particular problem in the case of medical emergencies and for expectant mothers in labour, who must coordinate the opening of the gate with the Israeli army.¹³ The new inner fence has cut off nine houses with 75 residents, as well as some agricultural land, from the rest of the village, creating an additional enclave within the 'Azzun 'Atma enclave. These residents have been recently informed by the IDF that they will be required to apply for 'permanent resident' permits to continue to reside in their homes.

Finally, during the month, Israeli contractors started levelling land around two Israeli settlements in Salfit and Hebron governorates for the construction of new sections of the Barrier. The Salfit section, around the settlement of Revava, is part of the so-called Ariel 'Finger', a 22-kilometre-long corridor into the West Bank, linking a large settlement block, including Ariel, to Israel. In Hebron, land leveling started around the Eshkolot settlement. Once constructed, this section of the Barrier will isolate approximately 4,000 dunums of land, encompassing the settlement built up area and grazing areas used by Palestinian herders. In addition, some 300 agricultural water cisterns, and the seasonal dwellings of four Palestinian families will be isolated.

Gaza Strip

Protection

Low intensity violence affects civilians' lives

Armed clashes, Palestinian rocket fire and Israeli strikes from air and sea continued to weaken the fragile ceasefire in March and deprive civilians of a sense of basic physical security. The level of casualties from Israeli-Palestinian violence remained close to the previous month: in March, seven Palestinian (all militants) were killed and 19 injured, among them, nine unarmed civilians, four

police officers and six militants, as a result of Israeli-Palestinian violence. This is compared to February, when nine Palestinians were killed (including three unarmed civilians) and 24 were injured (including 17 unarmed civilians). Rocket fire at Israel did not lead to any casualties, while one Israeli soldier was reportedly injured during an armed clash, which involved the firing of RGBs and mortar shells.

On two occasions, an Israeli drone fired a missile, killing two Palestinian militants and injuring four

Palestinians, including two civilian bystanders. In addition, five militants were killed and four others injured during armed clashes with Israeli ground troops in border areas. Other contexts in which injury occurred during the month include: Israeli troops stationed near the border area east of Rafah opening fire on groups of Palestinian farmers (three injuries, including one child); and Israeli patrol boats opening fire on Palestinian fishing boats and the Gaza coast, resulting in the injury of ten people. Also during the month, Israeli patrol boats briefly detained nine Palestinian fishermen, including two children, after intercepting Palestinian fishing boats at sea along the Gaza shore [for details on the impact of firing at farmers and fishermen see Livelihoods section below]

Also in March, ten Palestinians were reported killed in tunnel-related incidents: seven from the collapse of two tunnels; two as a result of electrocution while in a tunnel; and one after falling into a tunnel. Additionally, 12 persons who were rescued from a tunnel suffered respiratory difficulties. The Israeli air force continued to carry out strikes targeting the tunnels area near the Egypt-Gaza border in March, however, no air strikes targeting tunnels were reported between 12 March and the end of the month.

Finally, three Palestinians were injured during the month in the course of inter-factional clashes in Al Maghazi camp in the central Gaza district on 6 March. The clashes took place during a funeral procession for a militant who had been killed by IDF gunfire earlier the same day.

Child Protection

Child casualties

In March, two children (aged 14 and 15) were killed while handling unexploded ordnance (UXO) in the Gaza Strip. There have been five child fatalities from UXO since the ceasefires implemented in the Gaza Strip on 18 January 2009. In addition, three children were injured in Israeli-Palestinian violence.

Education impeded by blockade and military operations

Two months after Israel and Palestinian factions declared ceasefires, no substantive repairs have

been carried out in any of Gaza's schools. This is due primarily to the absence of construction materials resulting from the ongoing Israeli blockade. Although some stationery supplies were allowed to enter during March, the blockade also continues to impede the implementation of school programs and the availability of supplies. Restricted items this month included: cash needed to fund and supply UNRWA's school feeding programme, which benefits 200,000 children, prefabricated classrooms for up to 500 children and early childhood development kits, among others.¹⁴ In addition, Israeli military operations during the month caused disruption in Gaza schools as staff at an UNRWA school in Rafah (Gaza) had to flee their school following a near-by Israeli air strike.

Health at-risk due to contaminated water

UNRWA reported in the latter half of March that cases of acute watery diarrhea for children under three surpassed the alert threshold for the second time in 2009. Water test results released in March showed contamination in 14% of water samples that were taken in February by the Gaza Ministry of Health's Public Health Lab. There are additional concerns regarding water contamination from toxic munitions such as white phosphorus. The number of children without any access to piped water decreased in March, from 28,000 in February to about 22,400. An additional 56,000 children have access every two-three days.

Accountability initiatives in the aftermath of "Cast Lead"

The month of March witnessed a number of initiatives seeking accountability for alleged violations of international humanitarian and human rights law by Israel and the Palestinian armed factions during Israel's "Cast Lead" military offensive (27 December 2008 – 18 January 2009).

Most initiatives involve calls for the establishment of adequate mechanisms of investigation into such allegations and for the holding of perpetrators accountable. One of these was raised in a report addressing the human rights impact of the Gaza events, jointly submitted to the UN Human Rights Council by all the UN Special Rapporteurs

with human rights mandates.¹⁵ A similar call was issued by the Human Rights Watch group in the framework of a comprehensive report documenting the use of white phosphorus munitions by the Israeli army during the Gaza offensive.¹⁶ In addition, eleven Israeli human rights organizations sent a letter to the Attorney General of Israel, requesting him to reconsider his earlier refusal to establish an investigative body, independent from the military justice system, to examine suspicions on the commission of serious crimes during “Cast Lead”.¹⁷

The latter was triggered by the publication in the Israeli media of testimonies by Israeli soldiers who fought in the offensive, describing permissive rules of engagement that reportedly led to the killing and injury of innocent civilians and extensive destruction of Palestinian property.¹⁸ Immediately after that publication, the Israeli Military Advocate General (MAG) ordered the opening of criminal investigations into some of the incidents described in the testimonies. These were the first such investigations opened by the military since the beginning of “Cast Lead”. A few days later, the MAG ordered the closure of all the investigation files, following the conclusion that crucial components of the testimonies were based on hearsay instead of personal knowledge.¹⁹

Other initiatives focused on the attempt to obtain redress for the victims of the alleged violations. Two Palestinian human rights groups (the Palestinian Center for Human Rights and Al Mezan) reported that during the month they submitted to the Israeli Ministry of Defense about 900 letters of “notification of damages”. The letters, sent on behalf of individual victims, document incidents of alleged misconduct by the Israeli military resulting in casualties or property damage. According to Israeli law, this is the first step that must be taken in order for an individual to seek compensation due to a wrongful act committed by the state. According to that law, however, the state is not liable for damages that were perpetrated by its armed forces in the course of “combat activity”.²⁰

Finally, during March, the Gaza Board of Inquiry, appointed by the UN Secretary General, conducted

its fact finding mission in the oPt. The Board is mandated to investigate a number of specific incidents affecting UN staff, facilities and operations that occurred during “Cast Lead”. It is expected to publish its findings in April.

Access

Entry of goods remains restricted

During March, the number of truckloads that entered the Gaza Strip through the official crossings increased by 17 percent in comparison with the parallel figure for February (3,587 compared to 3,053), constituting a daily average of 132 truckloads.²¹ This represents a more than four and five-fold increase compared to the parallel figures during November and December 2008 when the blockade intensified, with a daily average of 23 and 30 truckloads respectively. However, it remains well below imports in May 2007 (475), one month before the Hamas take-over of the Gaza Strip. Approximately one-quarter of all truckloads that entered Gaza during March were imported by humanitarian agencies, including 147 truckloads that entered through Rafah Crossing, while the rest were imported by the commercial sector.

Despite the fluctuation in the number of truckloads, imports have remained largely limited to food, while the general ban on construction materials, spare parts for public infrastructure and industrial inputs into Gaza remained unchanged. This ban has continued to prevent economic recovery, as well as the implementation of most of the projects included in the Flash Appeal and almost all reconstruction activities planned in the aftermath of the “Cast Lead” offensive. Moreover, import procedures remained subject to unclear and often inconsistent criteria at the Israeli-controlled crossings, in particular regarding the type of items that humanitarian agencies are allowed to import.

Alongside the ongoing restrictions and lack of transparency, some relaxation measures were recorded during the month. These measures included the announcement on 22 March by the Government of Israel that restrictions on the entry of food items would be lifted, provided that the

source of the shipments is approved by the Israeli authorities. Subsequently, new food items, limited to tea, yeast, salt and potato crisps, banned from entering Gaza since late October 2007, were allowed entry. Other non-food items, also banned during the same period, were allowed entry this month, including soap, shampoo and one truckload of cement for water projects. The latter, however, could not be used due to restrictions on entry of other complementary essential items, such as water pipes.

Furthermore, notwithstanding the ongoing ban on exports since June 2007, nine truckloads of cut-flowers (nearly 429,000 flowers) were allowed out via the Kerem Shalom Crossing during March. According to the Agricultural Cooperative Association in Gaza, the income from March's exports makes up less than 1% of the average income (\$13 million) generated during flower seasons (November – May) prior to the imposition of the ban on exports.

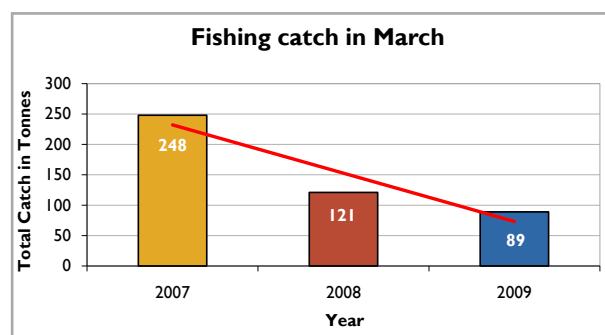
Nahal Oz fuel pipeline was opened on 23 days in March, compared to 18 days in the previous month, allowing an increase of more than 130 and 80 percent in the amounts of cooking gas and industrial fuel respectively that entered Gaza. These amounts, however, constituted only around 50 and 70 percent, respectively, of the monthly needs, as estimated by the Palestinian Gas Stations Owners Association (GSOA) and the Power Plant Authority. Due to continued shortages in cooking gas, GSOA has continued to implement a rationing system. The level of cooking gas available during March enabled all bread bakeries to continue functioning at 70 percent of their capacity. Commercial benzene and diesel have remained banned from entering Gaza since 2 November 2008, except for small quantities delivered to UNRWA.

Many tunnels under the Rafah-Egypt border were reportedly operational throughout March. Tunnels remain an important economic lifeline for Gaza's population, supplying the market with goods restricted from entering Gaza through the Israeli-controlled crossings. The GSOA reported that during the second half of March, a daily average of 100,000 litres of diesel and 70,000 litres of benzene

were transferred into the Gaza Strip through the tunnels.

Access restrictions undermine livelihoods

Israeli restrictions on Palestinian access to land and sea have continued to severely damage the livelihoods of farmers, herders and fishermen. These restrictions have compounded the multiple effects of the blockade and the widespread destruction incurred by Israel's "Cast Lead" military offensive. Enforcement measures implemented by the Israeli military include shooting at farmers and fishermen approaching restricted areas. Since the implementation of the unilateral ceasefires on 18 January 2009, three farmers have been killed in those circumstances and another four farmers and three fishermen were injured.



Graph: Declining trend in fishing catch, 2007-2009

During March, Israeli forces further restricted Palestinian access to fishing areas, allowing access only to areas within three nautical miles (nm) from the shore. Israel had previously reduced the fishing zone from 12 nm to six nm, following Hamas's take-over of the Gaza Strip in June 2007. The new zone is one-quarter of the area to which Israel committed to allow fishing under the Bertini commitments in 2002 (12 nm)²² and one-sixth of the area defined under Oslo Agreement (20 nm). This restriction is undermining the sardine catch, the bulk of which is located beyond six nm. The sardine season started in March and will reach its annual peak in mid-April. As a result of the further restriction, the livelihoods of 3,000 fishermen and their dependents are jeopardized. In addition, as sardine catch makes up 70% of the fishing catch, its short supply has reduced the availability in the market of affordable animal protein.

Access of herders and farmers to arable land located along the Gaza-Israel border continued to be severely restricted during the month, preventing improvement in the livelihoods of agriculture-dependent families. The situation of farmers is further compounded by ongoing restrictions on the import of urgently required agricultural items, including seedlings and pesticides, as well as by the ban on export, only recently lifted for a limited number of trucks of carnations.

The result of continued access restrictions is slow production, increasing food prices and rising unemployment rates.²³ The latter is estimated by a recent UNDP survey to have increased from 36%, prior to the Israeli operations, to 43%. The survey also estimated that poverty among the unemployed has increased from 56% to 66% in the aftermath of military operations.²⁴ In addition, due to restrictions on the entry of cash, UNRWA has found it increasingly difficult to distribute cash assistance to Palestinians in need inside Gaza, including farmers and fishermen. It reported that it needs around \$50 million dollars to provide cash assistance to more than 30,000 surveyed beneficiaries, whose houses were either totally or partially destroyed during "Cast Lead". Also, although UNDP has been able to distribute cash assistance provided by the PA to the majority of 8,800 non-refugee beneficiaries, 750 have been left without cash assistance due to the unavailability of cash in local banks.

Movement in and out of Gaza mostly banned

The movement of Palestinians in and out of Gaza remained largely banned throughout March. Similarly to previous months, a small number of exceptional cases were allowed through Erez and Rafah crossings. The former, exclusively controlled by Israel, was opened on all scheduled days allowing over 2,100 people to exit Gaza, slightly above the parallel figure during February (1,978). Only half of those who crossed in March were Palestinians holding permits issued by the Israeli authorities to leave Gaza for specialized medical treatment or to visit families outside Gaza, while the majority of the remaining people were diplomats and international humanitarian staff.

This month, access through Erez for international staff of international NGOs (INGO) continued to be problematic. A recent survey among 23 INGOs, covering the period from 18 January until 12 March 2009, showed that only 56% of internationals who applied were granted a permit to enter; the remaining permit requests were either delayed or rejected. Of the INGOs surveyed, permit requests for Gaza ID holders and Israeli citizens were not granted despite numerous requests. Only eight percent of permit requests for Jerusalem ID holders were granted and just a small number of West Bank ID holders were allowed to enter Gaza. While on average permit requests for internationals reportedly took between 12 and 34 days to process, about one-third of the surveyed INGOs reported periods of 40 days or more for some permit requests to be processed.

Rafah crossing, located on the border with Egypt, was exceptionally opened throughout March, during which 640 Palestinians were allowed into Egypt and some 1,400 returned back to Gaza. Most passengers through Rafah crossing were urgent humanitarian cases, mainly medical ones. The daily average number of people who crossed into Egypt (21) and those who entered Gaza (46) during March represents only 7 and 16 percent respectively of the parallel figures in May 2007, one month before the Hamas take-over.

Health

Referral of patients to medical treatment outside Gaza brought to a halt

The decision by the Hamas authorities in the Gaza Strip to take over the control of the Ministry of Health Referral Abroad Department on 22 March resulted in a further deterioration in the access of patients to critical health services not available in Gaza. The Referral Abroad Department assesses applications by patients for referral to specialized medical treatment outside Gaza. As a result of the take-over, no further patients will be approved for treatment outside Gaza. Indeed, the PA Ministry of Health in Ramallah does not approve and fund applications processed by the Hamas authority in Gaza, without which Israeli and Egyptian authorities do not allow patients to leave Gaza through the Erez and Rafah crossings.

This situation has exacerbated an already difficult situation for chronically ill patients from Gaza and has halted completely the processing of new referral documents, putting the lives of chronically-ill patients at risk. Since the takeover, WHO has received reports of patients in a critical situation awaiting referral to treatment outside Gaza. During the month, the Humanitarian Coordinator for the oPt and the Head of WHO jointly called on all concerned parties to reach a rapid solution to this problem.

The average number of patients receiving specialized treatment outside Gaza was around 600 in the first half of 2008. It then declined substantially because of the strike of health workers and the Israel military offensive on Gaza. In February 2009, 284 patients exited Gaza for treatment and from 1 – 22 March a further 325 did so.

Meanwhile, the Gaza Central Drug Store (CDS) completed an inventory of drugs and supplies received during the last Israeli military offensive. According to this list, 144 drugs items are at less than three months' stock; out of these, 52 are currently at zero level, meaning there is less than 30 days' stock. The Central Disposable Store produced a similar list with 67 items currently out of stock.

Lack of access to water and electricity

Access to water improved during March: by the end of the month, the total number of people affected by a lack of water was 135,000, down from 150,000 in February. Of these, 35,000 had no access to water and the remainder only receive water every 2-3 days, an improvement from every 5-6 days in February. The improvement is mainly due to the Coastal Municipalities Water Utility (CMWU) repair of two water wells in Beit Hanoun and Beit Lahiya and the additional renting of two wells.

The population currently affected is concentrated in North Gaza (Beit Hanoun, Beit Lahya and Jabaliya), Az Zeitoun area in Gaza City, and the eastern areas of Khan Younis. Lack of access to water is expected to continue, as long as the necessary spare parts and repair materials are not allowed entry into Gaza. While a small shipment of cement was allowed to enter Gaza during the month, it could not be used

due to the lack of other needed materials, which have remained barred from entry.

On 27 March, rising levels of wastewater in a temporary wastewater disposal lagoon in Northern Gaza led to the collapse of a wall and the subsequent release of 40,000- 50,000 m³ of wastewater onto nearby low land. No injuries or property damage were reported. The affected lagoon was one of two that had been created following the wastewater flood in March 2007, which resulted in five deaths. In coordination with the Israeli authorities, CMWU temporarily repaired the wall, halting further flooding. Although there is no imminent threat of further overflow, the rising levels of wastewater in the main basins are still of concern.

The amount of industrial fuel imported from Israel and used exclusively for the Gaza Power Plant (GPP) increased during March by some 19 percent, compared to the previous three months (9.9 compared to 8.3 million). Yet, this remains below the monthly average during the Egyptian-brokered "calm" in 2008 (11.5 million between July and October 2008) and the nearly 14 million litres needed per month to operate the GPP at full capacity.

During March the GPP had to operate at about 69 % of its full capacity (55MWs out of 80MWs), creating an almost 23% electricity deficit throughout the Gaza Strip. According to the Gaza Electricity Distribution Company (GEDCO), 90 percent of the Gaza population still experiences intermittent power supplies, resulting in power cuts of approximately four hours per day in Rafah and five hours in the rest of the Gaza Strip. The remaining 10 percent of the Gaza population (140,000), located in East Jabaliya, West Beit Lahiya and south-east Gaza City has remained without electricity from the onset of military operations, due to damage sustained by the electricity network. The continued shortage of spare parts prevents GPP from carrying out essential repairs and as a result the functioning of the electricity network remained fragile. On 16 March, lack of spare parts caused the GPP to shut down one of its turbines, which temporarily increased power outages to 8-12 hours a day for three days.

Funding

Concerns over West Bank projects

The expected impact of current levels of funding for humanitarian programs targeting vulnerable populations in the West Bank is of increasing concern to the humanitarian community. As of the end of March, out of 76 projects with activities exclusively located in the West Bank that were included in the 2009 CAP, just four (two in food and two in health sectors) have received any funding to date. In terms of funds, only \$48 million out of a total requirement of \$217 million were actually covered, leaving nearly 80 percent of funding needs unmet.

Should additional funds not become available in the coming months, a large number of humanitarian programmes would be either suspended or significantly reduced. The effects of the current crisis are particularly evident in regard to UNRWA, the largest humanitarian agency in the oPt. For example, UNRWA's Job Creation Programme, which targets each month over 4,000 among the most vulnerable

refugees, has a funding shortfall of over \$18 million, or 75% of its financial request. Unless additional funding is received, the programme will cease operating in June 2009, leaving 180,000 potential beneficiaries and their dependents unassisted. A similar development is expected regarding the Emergency Cash Assistance and Food Aid Programme, which is currently only 18 percent funded. The level of activity of the Emergency Health and Community Mental Health Programmes run by the agency is expected to be significantly cut down

Update on Gaza funding

Humanitarian activities in Gaza included in the revised 2009, which incorporates the Gaza Flash Appeal, have received over \$200 million in pledges and contributions, representing 32 percent of requests. While the Flash Appeal itself is slightly better funded (35 percent of requests), some sectors have remained severely under-funded, including Agriculture (5 percent) and Education (11 percent). Psychosocial programmes, along with Child Protection and Protection actors, are also in need of further funding to adequately implement their projects. The entire 2009 CAP for the oPt amounting to \$875 million is currently 32% funded.

Update on HRF

The Humanitarian Response Fund (HRF) approved in March one new project worth \$190,000, aimed at restoring water infrastructure damaged during the last Israeli military offensive in 500 households throughout the Gaza Strip. Since the beginning of 2009, the HRF has approved 18 Gaza projects in the areas of shelter, health, food, psycho-social counseling, UXO clearance, water rehabilitation and non-food items, worth just over \$3 million.

CAP 2009: LEVEL OF FUNDING AS OF 14 APRIL 2009		
Sector/Cluster	Requirements in million \$	% funded
Agriculture	56.6	3%
Coordination and Support services	37.3	36%
Economic recovery and Infrastructure	169.8	18%
Education	54.2	9%
Food	262.3	50%
Health	102.3	18%
Protection/Human rights/ Rule of law	30.5	0%
Safety and security of staff and operations	1.4	0%
Shelter and non-food items	120.1	28%
Water and sanitation	40.8	18%
Total	875.4	32%

End Notes

- 1 See "Cabinet Communique" for the 22 March 2009 meeting of the Israeli Cabinet, available at <http://www.mfa.gov.il>.
- 2 See: Barak Ravid and Avi Issacharoff, "Israel's New Strategy: Pressure Hamas into freeing Shalit," Ha'aretz, 18 March 2009; and Aviad Glickman, "Friedmann: We can infringe on security prisoners' conditions," Ynet, 18 March 2009.
- 3 See Addameer Prisoners Support and Human Rights Association press release "Addameer condemns IOF's Abduction of 10 Political Leaders," 20 March 2009, PCHR press release "The Palestinian Centre for Human Rights Condemn Proposals to Use Palestinian Prisoners as Political 'Bargaining Chips'," 19 March 2009, and Al Mezan press release, "Al Mezan Condemns Israeli Campaign of Arbitrary Measures against Palestinian Detainees and Calls on International Community to Urgently Intervene," 31 March 2009.
- 4 Source: Addameer.
- 5 Sources: Al Mezan Center for Human Rights, and Addameer. According to Addameer, an additional 132 Gaza prisoners are long-time prisoners imprisoned before the Oslo Agreements, among which 90 are serving life sentences.
- 6 See Human Rights Watch (HRW) press release, "Israel: Opportunistic Law Condemned," 6 March 2002. According to HRW, the law "disregards basic principles of international law."
- 7 Source: Al Mezan.
- 8 See Barak Ravid, "Israel to strip Hamas prisoners' rights as pressure over Shalit," Ha'aretz, 29 March 2009 and Joseph Nasr, "Israel limits privileges of Hamas prisoners," Reuters, 29 March 2009.
- 9 According to Addameer, Israel suspended unilaterally the ICRC Gaza Family Visit Programme in June 2007.
- 10 See supra note 3.
- 11 For detailed information on administrative detention and the campaign, see <http://www.addameer.info>.
- 12 This figure includes one residential structure that was self demolished in order to avoid the fines for demolition imposed by the Jerusalem Municipality
- 13 See OCHA Special Focus: Three Years Later: The humanitarian Impact of the Barrier since the International Court of Justice Opinion, 9 July 2007.
- 14 Other items restricted were: teacher training materials, UNICEF stationary items, children's toys, t-shirts for a UNICEF girls' involvement programme.
- 15 UN Doc. A/HRC/10/22, "Human Rights Situation in Palestine and other Occupied Arab Territories", 20 March 2009.
- 16 Human Rights Watch, Rain of Fire: Israel's Unlawful Use of White Phosphorus in Gaza, March 2009, available at: <http://www.hrw.org>
- 17 The letter is available at: <http://www.btselem.org>
- 18 See Amos Harel, "Shooting and Crying", Ha'aretz, 20 March 2009; see also Ofer Shelah, "We were given orders. We carried them out", Ma'ariv, 22 March 2009.
- 19 IDF Spokesperson, "Hearsay: IDF Releases Findings of Investigation Regarding Remarks Made at Rabin Center", 30 March 2009, available at: <http://dover.idf.il/IDF/English/>
- 20 In February, PCHR reported that in a compensation claim it submitted five years ago on behalf of a Palestinian family for the unlawful killing of one of its members, it obtained 200,000 NIS. See press release available at: <http://www.pchrgaza.org/files/PressR/English/2008/27-2009.html>
- 21 Daily average is calculated based on 5.5 working days at Karni Crossing, excluding Saturdays and the days on which the crossing was closed during the month.
- 22 The "Bertini Commitments" were given by the Government of Israel to Ms. Catherine Bertini, Personal Humanitarian Envoy of the UN Secretary-General, in August 2002. Ms Bertini was appointed to address the humanitarian needs arising from the Israeli-Palestinian conflict since September 2000 and was requested to assess the nature and scale of the humanitarian needs, and to clarify the respective responsibilities of all actors involved. They represent a minimum and specific set of humanitarian standards agreed to by the government of Israel.
- 23 According to Palestinian Central Bureau of Statistics (PCBS), the number of people employed in agriculture in the Gaza Strip fell from 25,000 in Q4 2007 to 10,000 in Q4 2008.
- 24 UNDP. Inside Gaza: Attitudes and perceptions of the Gaza Strip residents in the aftermath of the Israeli military operations. From 25 January till 1 February. Unemployment rates continued to increase in 2008. PCBS indicates that unemployment increased to 48.8% in Q4 2008 compared to 35.3% in Q4 2007.

CONTRIBUTING AGENCIES

United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Development Fund for Women (UNIFEM), United Nations Educational Scientific and Cultural Organization (UNESCO), United Nations Food and Agricultural Organization (FAO), United Nations Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Office for the High Commissioner of Human Rights (OHCHR), United Nations Population Fund (UNFPA), United Nations Relief and

Works Agency for Palestine Refugees in the Near East (UNRWA), United Nations Special Coordinator for the Middle East Peace Process (UNSCO), World Food Programme (WFP), World Health Organization (WHO), Al Haq, Badil, Save the Children (UK), Defence for Children International – Palestine Section (DCI-PS), Oxfam GB, Palestine Hydrology Group (PHG), ACF-E, AAA, ACP, ACAD, and members of the Temporary International Mechanism (TIM).

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